

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN THE MATTER OF:

E-Z Serve Convenience Stores, Inc.,

Debtor.

Case No. 02-83138

***EX PARTE* ORDER GRANTING MOTION TO APPROVE THE COLLECTION OF
UNCLAIMED FUNDS**

THIS MATTER came before the Court to consider the Motion filed by Richard M. Hutson, II, Trustee for E-Z Serve Convenience Stores, Inc. (the “Debtor”) for entry of an Order authorizing the Trustee to apply for and collect unclaimed funds held by certain states on behalf of the Debtor. For good and sufficient reasons appearing, this Court makes the following findings of fact and conclusions of law:

1. On October 4, 2010, EZ Serve Convenience Stores, Inc., and its affiliates, filed a voluntary petition under Chapter 11 of the United States Bankruptcy Code, in the United States Bankruptcy Court for the Middle District of North Carolina.
2. Richard M. Hutson II, PO Drawer 2252-A, Durham NC 27702, is the duly appointed and acting Trustee for EZ Serve Convenience Stores, Inc.
3. EZ Serve Convenience Stores, Inc., as set forth under Schedule 1 to the Petition, used the following trade names: Swifty Serve, Swifty Mart, Country Cupboard, Camp Oil, Majik Market, Time Saver, Dixie, Sav-A-Ton, Sunshine Travel Centers, Sunshine Jr., E-Z Serve and Crown.
4. EZ Serve Convenience Stores, Inc., maintained principal offices and district offices as follows:

1824 Hillandale Road
1830 Hillandale Road
PO Box 61790, Durham NC 27715

1933 Commonwealth Lane,
PO Box 3030
Tallahassee FL 32315

2550 North Loop West, Suite 600
PO Box 922021
Houston TX 77292

880 West Commerce Road
Harahan, LA 70123

5. EZ Serve Convenience Stores, Inc., operated over 400 retail convenience store locations in the states of Alabama, Florida, Louisiana, North Carolina, Virginia, South Carolina, Tennessee, Georgia, Ohio, Texas, Missouri and Mississippi.
6. The Trustee, Richard M. Hutson II, is the proper party to apply for unclaimed funds held by the States of Alabama, Florida, North Carolina, Louisiana, South Carolina, Tennessee, Georgia, Ohio, Missouri, Mississippi, Texas and Virginia on behalf of EZ Serve Convenience Stores, Inc., and its trade names of EZ Serve, Swifty Serve, Swifty Mart, Camp Oil, Time Saver, Dixie, Sunshine Travel Centers, Sunshine Jr., Crown, Country Cupboard, Majik Market, Camp Oil, Time Saver and Sav-A-Ton, and the respective state agencies should remit the unclaimed funds to:

Richard M. Hutson II, Trustee
EZ Serve Convenience Stores, Inc.
PO Drawer 2252-A
Durham NC 27702
Telephone: (919) 683-1561

BASED UPON THE FOREGOING FINDINGS OF FACT, IT IS HEREBY ORDERED as follows:

1. That the Trustee, Richard M. Hutson II, is the proper party to apply for unclaimed funds held by the States of Alabama, Florida, North Carolina, Louisiana, South Carolina, Tennessee, Georgia, Ohio, Missouri, Mississippi, Texas and Virginia on behalf of EZ Serve Convenience Stores, Inc., and its trade names of EZ Serve, Swifty Serve, Swifty Mart, Camp Oil, Time Saver, Dixie, Sunshine Travel Centers, Sunshine Jr., Crown, Country Cupboard, Majik Market, Camp Oil, Time Saver and Sav-A-Ton; and,
2. That the respective state agencies are authorized to remit the unclaimed funds to the Trustee at the address provided in Paragraph 6 above.

Service list:

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